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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
SANTIAGO CORDERO, MARIVELISSE	
ART UNIT	**PAPER NUMBER**
2687	

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/669,034	PINDER, ELLIS A.	
	Examiner	Art Unit	
	Marivelisse Santiago-Cordero	2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *23 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: the term "an Global Positioning System" (page 7, line 4) should be replaced with --a Global Positioning System--; the term "with" (page 7, line 8) should be replaced with --will--.

Appropriate correction is required.

Claim Objections

2. Claims 16-17 are objected to because of the following informalities: the term "claim13" (line 1 in each claim) should be replaced with --claim 13--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6, 8, 13-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Curtiss et al. (hereinafter "Curtiss"; Pub. No.: US 2003/0162562).

Regarding claim 1, Curtiss discloses an interface configuration for an accessory, comprising: an accessory microcontroller (Fig. 5, reference numeral 508); at least one accessory option detected by the accessory microcontroller (Fig. 5, reference numeral 524; page 5, paragraphs [0050]); and a serial memory device coupled to the accessory microcontroller (Fig. 5, reference numeral 512), the serial memory device having accessory data stored therein (page 5,

paragraph [0049]), the accessory microcontroller reading the serial memory device (page 5, paragraph [0049]) and comparing the accessory data to the at least one detected accessory option (page 5, paragraph [0050]; note that the register stores data regarding the address of relevant data in the memory), the accessory updating the serial memory device with the detected accessory option for self-configuration (page 5, paragraph [0050], 4th sentence; and page 2, paragraph [0014], last sentence).

Regarding claim 2, Curtiss discloses the interface configuration of claim 1 (see above), wherein the serial memory device is accessible locally from the accessory microcontroller (Fig. 5), and the serial memory device is accessible remotely from a radio microcontroller (page 5, paragraph [0049]; page 1, paragraph [0003]).

Regarding claim 3, Curtiss discloses the interface configuration of claim 2 (see above), further comprising a data bus for data communication between the radio microcontroller and the accessory microcontroller (page 5, paragraph [0049], 2nd sentence).

Regarding claim 4, Curtiss discloses the interface configuration of claim 1 (see above), wherein the at least one accessory option is updatable (page 5, paragraph [0050]; note that the register stores data regarding the particular configuration or connection of the accessory (i.e., accessory option) at the time of use; hence, since the accessory is self-defining and operable with numerous devices, the accessory option is updated whenever the accessory is used).

Regarding claim 5, Curtiss discloses a smart accessory for a communication device (Fig. 5; page 5, paragraph [0049]), the accessory comprising: a memory device (Fig. 5, reference numeral 512) having accessory parameter data stored therein (page 5, paragraph [0049]), the parameter data being accessible locally by the smart accessory (Fig. 5) and remotely by the

communication device (page 5, paragraph [0049]; page 1, paragraph [0003]); optional operating configurations stored within the smart accessory (Fig. 5, reference numeral 524; page 5, paragraph [0050]); and wherein the smart accessory self-configures itself to operate over at least one of the optional operating configurations based on the parameter data (page 5, paragraph [0050]; and page 2, paragraph [0014], last sentence), and the communication device adjust its operation in response thereto (page 5, paragraphs [0049]-[0051]).

Regarding claim 6, Curtiss discloses the smart accessory of claim 5, wherein the optional operating configurations include software options (page 5, paragraph [0050]).

Regarding claim 8, the smart accessory of claim 5, wherein the optional operating configurations include electrical options (page 5, paragraphs [0050]-[0051]).

Regarding claim 13, Curtiss discloses an interface configuration for an accessory (Fig. 1, reference numeral 112) to be used with a communication device (Fig. 1, reference numeral 104), comprising: at the accessory: an accessory microcontroller (Fig. 5, reference numeral 508); accessory options coupled to the accessory microcontroller (Fig. 5, reference numeral 524; page 5, paragraph [0050]); and a serial memory device coupled to the accessory microcontroller (Fig. 5, reference numeral 512), the serial memory device containing parameter data for the accessory (page 5, paragraph [0049]) that is accessible locally from the accessory microcontroller (Fig. 5), the accessory microcontroller verifying and updating the parameter data to correspond with the accessory options (page 5, paragraphs [0049]-[0050]; and page 2, paragraph [0014], last sentence); and the updated parameter data available remotely to the communication device for operation of the accessory with the radio (page 5, paragraph [0050]; and page 2, paragraph [0014], last sentence).

Regarding claim 14, Curtiss discloses the interface configuration of claim 13, wherein the serial memory device is a single wire device (page 4, paragraph [0041], 3rd sentence).

Regarding claim 15, Curtiss discloses the interface configuration of claim 13, wherein the serial memory device is a two-wire device (page 4, paragraph [0041], 1st sentence).

Regarding claim 16, Curtiss discloses the interface configuration of claim 13, wherein the serial memory device is a three-wire device (page 4, paragraph [0041], 3rd sentence).

Regarding claim 17, Curtiss discloses the interface configuration of claim 13, wherein the accessory options include at least one of software, mechanical, and electrical options (page 5, paragraph [0050]).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 7 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curtiss in view of Bozoukov (Patent No.: 6,603,986).

Regarding claim 7, Curtiss discloses the smart accessory of claim 5 (see above). Curtiss fails to disclose wherein the optional operating configurations include mechanical options.

However, Bozoukov discloses a smart accessory (Fig. 2, reference numeral 14) for a communication device (Fig. 2, reference numeral 12) comprising optional operating configurations stored within the smart accessory (col. 3, lines 21-26; col. 6, lines 61-67) wherein the optional operating configurations include mechanical options (col. 7; Table B).

It would have been obvious to one of ordinary skill in this art at the time of invention by applicant to include in the optional operating configurations of Curtiss mechanical options as suggested by Bozoukov.

One of ordinary skill in this art would have been motivated to include in the optional operating configurations mechanical options because it would provide control of one or more programmable functions of the accessory (Bozoukov: col. 6, lines 63-65).

Regarding claim 9, Curtiss discloses the smart accessory of claim 5 (see above) wherein the optional operating configurations include software and electrical options (page 5, paragraphs [0050]-[0051]). Curtiss fails to disclose wherein the optional operating configurations include software, mechanical, and electrical options.

However, Bozoukov discloses a smart accessory (Fig. 2, reference numeral 14) for a communication device (Fig. 2, reference numeral 12) comprising optional operating configurations stored within the smart accessory (col. 3, lines 21-26; col. 6, lines 61-67) wherein the optional operating configurations include software, mechanical, and electrical options (col. 7; Table B).

It would have been obvious to one of ordinary skill in this art at the time of invention by applicant to include in the optional operating configurations of Curtiss include software, mechanical, and electrical options as suggested by Bozoukov.

One of ordinary skill in this art would have been motivated to include in the optional operating configurations software, mechanical, and electrical options because it would provide control of one or more programmable functions of the accessory (Bozoukov: col. 6, lines 63-65).

Regarding claim 10, Curtiss discloses a method for self-configuring a smart accessory (page 5, paragraph [0050]), comprising the steps of: providing a common electrical and software platform for the accessory with optional electrical, and software configurations therein (Fig. 5, reference numeral 524; page 5, paragraphs [0049]-[0051]); providing a memory device having accessory parameter data stored therein (Fig. 5, reference numeral 512; paragraph [0049]); detecting the presence of an optional configuration (page 5, paragraph [0050]); updating the accessory parameter data of the memory device so as to self-configure the accessory to the detected optional configuration (page 5, paragraph [0050], 4th sentence; and page 2, paragraph [0014], last sentence).

Curtiss fails to disclose providing a common electrical, **mechanical**, and software platform for the accessory with optional electrical, **mechanical**, and software configurations therein.

However, Bozoukov, in a smart accessory (Fig. 2, reference numeral 14), discloses providing a common electrical, **mechanical**, and software platform for the accessory with optional electrical, **mechanical**, and software configurations therein; (col. 3, lines 21-26; col. 6,

lines 61-67; col. 7; Table B); detecting the presence of an optional configuration (col. 7, lines 54-60).

It would have been obvious to one of ordinary skill in this art at the time of invention by applicant to provide in the common electrical and software platform for the accessory with optional electrical and software configurations therein of Curtiss a common mechanical platform for the accessory with optional mechanical configurations therein; and detecting the presence of an optional configuration as suggested by Bozoukov.

One of ordinary skill in this art would have been motivated to provide, in the common electrical and software platform for the accessory with optional electrical and software configurations therein, a common mechanical platform for the accessory with optional mechanical configurations therein because it would provide control of one or more programmable functions of the accessory (Bozoukov: col. 6, lines 63-65); and detecting the presence of an optional configuration because it would applied the settings to the various functions of the accessory (Bozoukov: col. 7, lines 54-60).

Regarding claim 11, in the obvious combination, Curtiss discloses further comprising the step of adjusting a communication device based on the accessory configuration (page 5, paragraphs [0049]-[0051]).

Regarding claim 12, Curtiss discloses a method for self-configuring an accessory to a radio (page 5, paragraph [0050]; and page 1, paragraph [0003]), comprising the steps of: powering up an accessory having a serial memory device contained therein (page 5, paragraph [0049]); detecting the presence of options including electrical, and software options within the accessory (page 5, paragraph [0050]); reading accessory parameter data from the serial memory

device (page 5, paragraphs [0049]-[0050]); comparing the accessory parameter data to the detected options (page 5, paragraph [0050]; note that the register stores data regarding the address of relevant data in the memory); configuring the accessory for the detected options if the step of comparing did not result in a match (page 5, paragraph [0050]); detecting the presence of the accessory by the radio (page 5, paragraph [0052]; and page 1, paragraph [0003]); and operating the radio and accessory in accordance with the detected options (page 5, paragraph [0050]).

Curtis fails to disclose detecting the presence of options including **mechanical**, electrical, and software options within the accessory.

However, Bozoukov, in an accessory, discloses detecting the presence of options including **mechanical**, electrical, and software options within the accessory (col. 3, lines 21-26; col. 6, lines 61-67; col. 7; Table B).

It would have been obvious to one of ordinary skill in this art at the time of invention by applicant to detect the presence of options of Curtiss including mechanical, software, and electrical options as suggested by Bozoukov.

One of ordinary skill in this art would have been motivated to detect the presence of options of Curtiss including mechanical, software, and electrical options because it would provide control of one or more programmable functions of the accessory (Bozoukov: col. 6, lines 63-65).

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Vuori (Pub. No.: US 2004/0192274) discloses a smart accessory interfacing with a communication device via two-wire; Nordwall (Patent No.: 6,097,943) discloses an accessory for

ancillary functions having a memory and controller coupled to a communication device; and Findikli et al. (Pub. No.: 2005/0014531) discloses operating an accessory coupled with a communication device.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marivelisse Santiago-Cordero whose telephone number is (571) 272-7839. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RAFAEL PEREZ-GUTIERREZ
PATENT EXAMINER
7/11/05